

MINUTES OF A MEETING
OF THE
OKLAHOMA MOTOR VEHICLE COMMISSION

In conformity with the Oklahoma Open Meeting Act, advance notice of this Special meeting was transmitted to the Oklahoma Secretary of State on December 8, 2022. Public notice of this meeting, together with the agenda, was posted in prominent public view on the front door of the Northwest Office Center, 4334 NW Expressway, Oklahoma City, on December 14, 2022 prior to 10am, and, announcement of the Board meeting and agenda were posted on the OMVC website www.omvc.ok.gov on December 14, 2022 prior to 10am.

The Oklahoma Motor Vehicle Commission met in Special session at 10:00 am, on December 15, 2022. Chair Curtis Hayes called the meeting to order. A roll call was held; members present were Jim Norton, Eric Stuteville, Cassie McGlothlin, Jeromey Clayton, and Curtis Hayes. Commissioners Fred Malone, Fred Harlan, Ervin Randle and Megan Vance Ochs were absent.

The Chair announced that there were enough members present to constitute a quorum. Also present were Brad Bailey, Executive Director, Marilyn Maxwell, Deputy Director, and Sandra Balzer, Assistant Attorney General. Peter Hodges of OADA was also in attendance.

Each Commission Member had received a copy of the **Minutes** of the November 8, 2022 Commission Meeting. Eric Stuteville made a motion, seconded by Jeromey Clayton, to approve the Minutes as submitted. The Chair called for a roll call vote; votes were as follows:

Jim Norton – abstain	Eric Stuteville – aye	Cassie McGlothlin – aye
Jeromey Clayton – aye	Curtis Hayes - aye	

Motion passed.

The **Claims** and **Financial Reports** for the month of November 2022 were presented by the Deputy Director. A motion to approve both the payment claims and financial reports as submitted by the Deputy Director was made by Jim Norton, seconded by Jeremy Clayton. The Chair called for a roll call vote; votes were as follows:

Jim Norton – aye	Eric Stuteville – aye	Cassie McGlothlin – aye
Jeromey Clayton – aye	Curtis Hayes - aye	

Motion passed unanimously.

In the Matter of the Protest by Strongpoint Auto Group, LLC dba Oklahoma City Volkswagen of Volkswagen of America’s Rebuttal of Oklahoma City Volkswagen’s Request for Parts and Labor Rate Adjustments. Review and action on Motion to Dismiss.

The Chair offered the floor to Patrick D. Quinn, Counsel for Volkswagen of America and Aimee Majoue, Counsel for Strongpoint Auto Group dba Oklahoma City Volkswagen. Counsel for both parties presented arguments regarding Volkswagen of America’s Motion to Dismiss Oklahoma City Volkswagen’s Protest of Volkswagen of America’s Rebuttal of Oklahoma City Volkswagen’s Request for Parts and Labor Rate Adjustments. Upon hearing arguments and fielding questions from the Commissioners, a motion was made by Eric Stuteville, seconded by Jim Norton, to enter

into Executive Session. The Chair called for a roll call vote; votes were as follows:

Jim Norton – aye	Eric Stuteville – aye	Cassie McGlothlin – aye
Jeromey Clayton – aye	Curtis Hayes - aye	

Motion passed unanimously

A motion was made by Cassie McGlothlin, seconded by Jeromey Clayton to reconvene into Open Session. The Chair called for a roll call vote; votes were as follows:

Jim Norton – aye	Eric Stuteville – aye	Cassie McGlothlin – aye
Jeromey Clayton – aye	Curtis Hayes - aye	

A motion to deny the Motion by Volkswagen of America to Dismiss Oklahoma City Volkswagen's Protest of Volkswagen of America's Rebuttal of Oklahoma City Volkswagen's Request for Parts and Labor Rate Adjustments was made by Curtis Hayes. The finding that formed the basis of the motion was that letters from Volkswagen of America to Oklahoma City Volkswagen, dated August 8th, 2022 represented Volkswagen of America's formal rebuttal of Oklahoma City Volkswagen's Request for Parts and Labor Rate Adjustments. All previous communication between the parties, having taken place in June and July of 2022, represented negotiation. The motion was seconded by Eric Stuteville. The Chair called for a roll call vote; votes were as follows:

Jim Norton – aye	Eric Stuteville – aye	Cassie McGlothlin – aye
Jeromey Clayton – aye	Curtis Hayes - aye	

Motion passed unanimously.

Review and Discussion of Ford Pro Elite Service Centers.

The Executive Director presented information specific to the location for a proposed Ford Pro Elite Service Center for Joe Cooper Ford of Edmond. The discussion included examination of OMVC law and its application concerning the facts as provided by the dealer and manufacturer for the proposed service center location.

Director's Report:

The Executive Director informed the Commissioners that there were four new complaints, three of which had been resolved and three carryover complaints since the last meeting, all of which were pending resolution. There were also two telephone complaints that were received since the last meeting by the Director and resolved to the satisfaction of the consumers.

The Executive Director provided an update on the efforts to fill the Commission seat vacated upon the resignation of Fred Malone. The geographic requirements mandated by statute for the vacated seat and the benefits of different types of professional experience were also part of the discussion.

The Executive Director provided an update on OMVC legislation efforts for the 2023 Legislative Session and important dates related to legislative requests and filing deadlines.

The Executive Director provided an update on the progress of the audit of OMVC by the Office of State Auditor and Inspector. The Deputy Director contributed by providing an overview of information already provided by OMVC to date and historic audit time frames.

The Executive Director discussed other agency activities including a review of recent progress on the development of the Thentia online licensing system.

Initial License Applications:

The Deputy Director presented an update of applications completed since the last meeting along with applications still pending. The following License Applications were then presented for consideration and action:

MANUFACTURERS AND DISTRIBUTORS:

- a. Canoo Technologies, Inc... – Torrance, CA
Application for Manufacturer of Canoo Electric Vehicles
Director recommended approval
- b. Encore RV, LLC – Elkhart, IN
Application for Manufacturer of ROG RV Towables
Director recommended approval
- c. Outlaw Coach, LP – Stephenville, TX
Application for Manufacturer of Outlaw Class A Motorhomes
Director recommended approval
- d. Tucker Powersports – Fort Worth, TX
Application for Distributor of UBCO Powersports
Director recommended approval

DEALERS:

- e. Bartlesville Cycle Sports - Roland, OK
Application for Addition of Greenger Powersports
Director recommended approval pending receipt of dealer agreement
- f. Bomgaars – Sioux City, IA
Application for Purchase of Five Existing Orscheln Farm and Home Stores in Ada, Ardmore, Duncan, Durant and Muskogee selling Massimo Powersports.
Director recommended approval
- g. Elk City RV Sales - Elk City, OK
Application for Addition of Jayco RV Towables
Director recommended approval

- h. Jones Powersports - Durant, OK
Application for Addition of Greenger Powersports
Director recommended approval
- i. Muskogee Powersports - Muskogee, OK
Application for Purchase of Existing Dealership – Road Track and Trail
Selling Yamaha, Can-Am, Textron Specialty Vehicles and Husqvarna
Director recommended approval pending receipt of dealer agreements
- j. Shawnee Honda Motorsports - Shawnee, OK
Application for Addition of Greenger Powersports
Director recommended approval pending receipt of dealer agreement
- k. Vicars Powersports - McAlester, OK
Application for Addition of Honda Powersports
Director recommended approval
- l. Xtreme Outdoors Boat & RV, LLC - Checotah, OK
Application for Addition of Encore RV Towables & Venture RV Towables
Director recommended approval

A motion was made by Eric Stuteville, seconded by Cassie McGlothlin, to approve all applications as submitted. The Chair called for a roll call vote; votes were as follows:

Jim Norton – aye	Eric Stuteville – aye	Cassie McGlothlin – aye
Jeromey Clayton – aye	Curtis Hayes - aye	

Motion passed unanimously.

The Chair asked if there was any **New Business**. There being no New Business, the meeting was adjourned.

Approved by: _____ Date: _____